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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF ARIZONA**

12 JAMES ARNETT,

13 **CASE NO. CV-12-0311-TUC-DTF**

14 vs.

15 Plaintiff,

16 BENJAMIN SNOW HOWARD, LIFELINE
17 MEDIA LLC, a Texas entity, NATIONWIDE
18 AFFORDABLE HOUSING, a Texas
corporation, and the BEN HOWARD TRUST,
19 an IDAHO TRUST,

20 **OBJECTION TO
PLAINTIFF'S MOTION FOR LEAVE
OF COURT TO AMEND COMPLAINT**

21 Defendants.

22 **(Assigned to Magistrate Judge D.
Thomas Ferraro)**

23 Defendants Benjamin Snow Howard (“Howard”), Lifeline Media LLC (“Lifeline”),
24 Nationwide Affordable Housing (“NAH”), and the Ben Howard Trust (“the Trust”) object
to Plaintiff’s Motion for Leave of Court to Amend Complaint. Under Rule 15.1 of the Local
25 Rules of Civil Procedure,

26 A party who moves for leave to amend a pleading, or who seeks to amend a
27 pleading by stipulation and order, must attach a copy of the proposed amended
28 pleading as an exhibit to the motion or stipulation, which must indicate in what

1 respect it differs from the pleading which it amends, by bracketing or striking
2 through the text to be deleted and underlining the text to be added.

3 Plaintiff has failed to comply with the requirements of this rule because he has not
4 submitted a proposed amended complaint in connection with his motion. Therefore, the
5 Court cannot grant his motion under the Rules. “[P]ro se litigants are not excused from
6 following court rules.” *Briones v. Riviera Hotel & Casino*, 116 F.3d 379, 382 (9th Cir.
7 1997).

8 RESPECTFULLY SUBMITTED this 25th day of October, 2012.

9
10 **DAVIS MILES MC GUIRE GARDNER, PLLC**

11 By /s/ Scott F. Gibson
12 Scott F. Gibson
13 80 E. Rio Salado Pkwy., Ste. 401
14 Tempe, AZ 85281
Attorneys for Defendants

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1 CERTIFICATE OF SERVICE
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I hereby certify that on October 25, 2012, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing, mailed a copy via regular U.S. mail to the following, and transmitted a Notice of Electronic Filing to the following CM/ECF participants:

5 Magistrate Judge D. Thomas Ferraro
6 United States District Court
7 Evo A. DeConcini U.S. Courthouse
8 405 West Congress Street, Suite 6660
Tucson, AZ 85701

9 James Arnett
10 9288 N. Monmouth Court
11 Tucson, AZ 85742
Plaintiff Pro Per

12
13 /s/ Annette T. Hernandez
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